

CLAIM ELECTION

In the Restriction Requirement, the Examiner required election of one of the following groups of claims:

- Group I: Claims 1-8, drawn to isolated polynucleotides, vectors, transformed host cells, and recombinant methods of production;
- Group II: Claim 9, drawn to a purified polypeptide encoded by a polynucleotide from an EST library;
- Group III: Claim 10, drawn to an antibody to a polypeptide;
- Group IV: Claim 11, drawn to peptide-based methods of screening;
- Group V: Claims 12-24, drawn to libraries of polynucleotides; and
- Group VI: Claim 15, drawn to methods of modulating gene expression.

Applicants hereby elect to prosecute the claims of Group I. Applicants expressly reserve the right under 35 USC §121 to file one or more divisional applications directed to the non-elected subject matter during the pendency of this application.

Amended claims 1-4 correspond to claim Group I.

SPECIES ELECTION

The Examiner further required election of one of the following species:

- 1) For an elected claim group drawn to amino acid sequences, Applicants must further elect a single amino acid sequence; and
- 2) For an elected claim group drawn to polynucleotides, Applicants must elect a single polynucleotide sequence.

Applicants hereby elect to the species of SEQ ID NO: 222. The claims readable on the elected species are claims 1-8. Claim 1 is generic.

Applicants expressly reserve the right under 35 USC §121 to file one or more divisional applications directed to the non-elected species during the pendency of this application.

III. CONCLUSION

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number 2300-1624.

Respectfully submitted,
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VERSION WITH MARKINGS TO SHOW CHANGES MADE

Claims 1-4 are amended as follows:

1. (Amended) An isolated polynucleotide ~~comprising a nucleotide sequence which hybridizes under stringent conditions to a polynucleotide having the sequence of SEQ ID NO:222 or complement thereof sequence selected from the group consisting of SEQ ID NOS: 1-2396.~~
2. (Amended) An isolated polynucleotide comprising at least 15 contiguous nucleotides of a nucleotide sequence having at least 90% sequence identity to ~~a polynucleotide having the sequence of SEQ ID NO:222 or complement thereof a sequence selected from the group consisting of: SEQ ID NOS:1-2396, a degenerate variant of SEQ ID NOS:1-2396, an antisense of SEQ ID NOS:1-2396, and a complement of SEQ ID NOS:1-2396.~~
3. (Amended) A polynucleotide comprising a nucleotide sequence of an insert contained in a clone deposited as clone number ~~xx M00055050C:G04~~ of ATCC Deposit Number ~~xx ES94~~.
4. (Amended) An isolated cDNA obtained by the process of amplification using a polynucleotide comprising at least 15 contiguous nucleotides of ~~SEQ ID NO:222 or complement thereof a nucleotide sequence selected from the group consisting of SEQ ID NOS:1-2396.~~

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